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City Council Rooms of
the Corporation of the
City of El Paso August 15th, 1873

Proceedings of the City Council of the City of
El Paso held on the fifteenth day of August
1873. The City Council met in accor-
dance with the provisions of the City
Charter. Present -

This Honor B. S. Dorell Mayor.

Aldermen; W. Dreyer, Alderman 1st Ward

"	J. Massie	"	2 ^d Ward
"	J. S. Gillett	"	3 ^d "
"	J. P. Evans	"	3 "

Who were sworn in, the Oath of
Office having been administered by
Joseph Mayoffin Esq Justice of the Peace
precinct No 1 El Paso County.

The following resolution was adopted.
Resolved, That until otherwise
ordered, The Mayor shall perform
the Duties of City Clerk, That the office
of City Marshal shall be filled by
J. W. Hale, said appointment to remain
in force until such time as the
City Council shall deem proper to elect
a permanent Marshal.

It was further resolved, that with the exception of Water Commissioners the election of other city officers be postponed until a future meeting of the Board.

On Motion, adopted, an election was then held for water Commissioners, wherein John S Gillett, and W Preyer having received a majority of all the votes were declared to be duly elected as Water Commissioners.

The following Ordinance was then adopted, having received a majority of all the votes Cast, as follows, in the affirmative, Aldermen Massie, Evans, Gillett, and Preyer, Nays - none.

An Ordinance to provide for the temporary management of the Acequias.

Be it Ordained by the City Council of the City of El Paso;

An Ordinance for the protection of the acequias
in the City of El Paso -

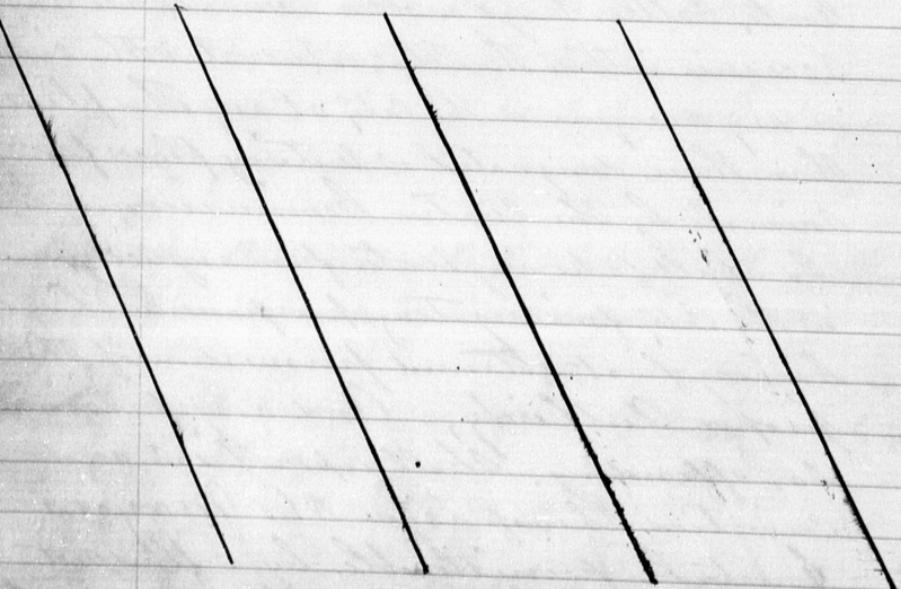
Section 1 Be it ordained by the City Council of the City
of El Paso, That it is hereby made a
Misdemeanor, for any person to bathe in any
Acequia in this City, or to cast offal, filth
or impurities of any kind therein, or to wilfully
or negligently cut or break the borders of any
Acequia whereby any of the waters of said
Acequia may flood or overflow any street, road
or Alley within the City, or while irrigating
to wilfully or negligently waste the water of
any Acequia within the City or cause the
same to be done, or to drive any kinds of sheep,
Goats, Cattle, Hogs or other animals, into any
Acequia within the City; or to water the same
in any acequia in the City at any other place
than those designated as watering places for
animals by the Water Commissioners; or
who shall take any water from any Acequia
in the City for irrigating purposes without
having first obtained permission of the
proper Authority. And any person
so, offending, shall upon trial and
conviction thereof before the Mayors
Court be punishable by a fine not
to exceed one hundred dollars, for each

and every such offence, or by confinement
in the City prison for a period not to exceed
Thirty days, or by both such fine and
Imprisonment in the discretion of the Court,
and in addition thereto, shall pay the
Costs of prosecution -

Section 2 That this Ordinance take effect five
days from and after its passage.

Approved August 25th 1873

B. J. Howell
Mayor of the City of
El Paso -



An adjourned meeting of the City Council was held on Monday, August 25th 1873 at the Mayor's office, the Council was called to order by the Mayor at seven o'clock P.M. The roll was call and a quorum being present to-wit. This hour the Mayor, Aldermen Evans, Gillett, Horneck and Mayor, the Council proceeded to business, the proceedings of the last meeting were read and approved.

On motion of Councilman Evans, the Council proceeded to the election of a City attorney, A. J. Tarrant received three votes, M. A. Jones one vote, whereupon A. J. Tarrant was declared elected city attorney, and was sworn in, the oath of office being administered by the Mayor. An ordinance was adopted changing the boundaries of the wards of the City which is as follows,

— Be it ordained by the City Council of the City of El Paso, That hereafter the wards of this City shall be as follows, the first ward shall comprise all that portion of the Corporation lying

West of the Centre of El Paso Street, and south of the Centre of San Francisco Street, The Second Ward shall comprise all that portion of the Corporation lying North and east of a line commencing on the banks of the river at the head of San Francisco Street, thence East to the junction of El Paso and San Francisco streets, thence through the Centre of El Paso Street to San Antonio Street, thence through the Centre of San Antonio Street to the Eastern boundary of the Corporation, The Third Ward shall comprise all that portion of the Corporation lying East and south of the Centre of San ~~Francisco~~^{Antonio.} and El Paso Streets. This Ordinance to take effect from and after its passage.

Alderman
August
25th
1873

The resignation of Thos Massie Alderman of the Second Ward was read and accepted.

The following was adopted.

Whereas, G.Schutz Alderman Elect of the Second Ward has failed to qualify, and T.Massie, Alderman

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of the Second Ward has resigned, which resignation has been accepted, therefore resolved, that notice be given of an Election for two Aldermen for the Second Ward said Election to be held on Saturday the 6th day of September 1873.

A Blacker was chosen to act as Registrar, Mr. Tays, Joseph Mayoffin, and E.W. Johnson were chosen as Judges of Election, for the Second Ward.

The following Ordinance was adopted.

Ord No. 2. Be it Ordained by the ^{Council of the City} City of El Paso, that The seal of said City shall be a five pointed star with the letters E-P-A-S-O between the points, the whole surrounded with the words, City of El Paso, El Paso County, and that this ordinance take effect from and after its passage.

J. D. Johnson
Approved Sept 5, 1873

Those voting in the affirmative were, Messrs Evans, Gillett, Hornbeck, and Troyor, in the negative, none.

The City Attorney submitted the following ordinance which was passed,

Ordinance No 3.

X
An Ordinance to provide for the
Maintenance of peace and good
Order in the City of El Paso.

Sectant. Be it Ordained by the City Council of
the City of El Paso, That any person who
shall hereafter, within the limits of the
City of El Paso, engage, encourage or
assist in any riot, tumult, affray,
noise, disturbance, or disorderly assembly,
or shall assault any person, whether such
assault be by blows, words, gestures or
otherwise; or who shall ^{indecently} expose his or her
person in any public place, or shall make
use of abusive or insulting language, or
shall make use of foul or obscene language
in any public place, or shall resist or
obstruct any City Officer in the lawful discharge
of his duty, or shall assist or encourage
any obscene, vulgar or brutal exhibition, or
shall do any act or thing calculated
to create a breach of the peace, or who
shall carry, or have about his person any
concealed deadly weapon, or who shall
exhibit any deadly weapon with threats
against any person, or who shall discharge
any firearm upon the streets, or in any
public place, or who shall discharge any

five am within the city limits after sun down
and before sunrise except such be done in
the lawful defense of person or property, or
who shall engage in or ply the avocation of
mendicant or street beggar, or who shall
wilfully or maliciously obstruct, or dig any
hole in any street sidewalk or alley, or
who shall dam, obstruct, or injure any
acequia or ditch within the City, or who
shall cast or deposit any dead carcass,
filth, or decayed vegetable matter in any
street alley or acequia in the City, or
upon any lot within the City so that
the public health may be affected thereon,
or who shall wilfully injure or destroy any
property belonging to another, or cause the same
to be done; or shall do or cause to be
done any act or thing whereby the peace
and good order of the City shall be dis-
turbed, the persons or persons so offending
shall be deemed guilty of a misdemeanor,
and upon conviction thereof before the Mayor's
Court shall be punished by a fine in any
sum in the discretion of the Court, not to
exceed one hundred dollars, or by impris-
onment in the City Prison for a period not
to exceed thirty days, or by both such fine

and imprisonment in the discretion of the Court, and shall in addition pay the Costs of prosecution;

Secton 2. That any person who shall steal, or appropriate to his own use without permission of the lawful owner, any article whose value does not exceed twenty dollars, or any person who shall buy, receive, or take in pledge or pawn said article, knowing the same to have been stolen or taken without permission of the lawful owner or owners, the person or persons so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Mayors Court, shall be fined in any sum not to exceed one hundred dollars, and in addition thereto shall be imprisoned in the City Prison for a term not less than five, nor more than thirty days, or by both fine and imprisonment in the discretion of the Court.

Secton 3. That all complaints for violations of this Ordinance shall be made in writing, but any Officer of the City who may discover any person violating ~~any~~ such Ordinance may arrest said person without further process and take him or her before

the mayor, whose duty it shall be to examine said Complaint, and may adjourn or continue the same from time to time, in his discretion, on application of the prosecution or defense, and may require the party or parties charged, to enter into bond for their appearance for trial or good behaviour, and in default of such bond may commit said parties to the City prison, provided such imprisonment shall in no case exceed thirty days. and that this Ordinance take Effect and be in force for days from and after its passage.

Approved

August 25th 1873

B. S. Dowell
Mayor

The following Ordinance was then adopted,
An ordinance to prevent the running at
Large of Animals

Section 1st Be it ordained by the City Council of
the City of El Paso, that the Bronco Burners
or persons in Charge of any Horses, Mules, Jacks
Jennies, Cattle, Sheep Goats, or Swine, who shall
permit the same to run at large within the
City Limits, shall be deemed guilty of a
Misdeemeanor, and upon Conviction therefor
before the Mayor's Court, shall be fined in
any sum not to exceed One Hundred Dollars
together with the Costs of prosecution, and
be imprisoned in the City Prison until such
fine and Costs are paid; provided such term
of Imprisonment shall not exceed Thirty days.

Section 2^d That the Mayor be, and he is hereby authorized
to appoint and commission some suitable person
as City Pound Master, Said Pound Master shall
provide some suitable place, or Corral in which
to safely keep all such animals as are found
running at large,

Section 3rd That whenever any of the animals named in
the first Section of this Ordinance are found
running at large within the City limits, it shall
be competent for any person to arrest said
Animal or animals, and take the same to the City

Found and deliver the same to the Pound Master —
Section 4th Whenever any animal or animals found running at large, are placed in the City Pound, the Pound Master shall cause a notice, giving a description of the same to be posted in some prominent place within the City limits, should no claimant appear within three days, then the Pound Master shall give notice in the same manner of the sale of said animals, stating the time and place where said Animal or Animals ~~were~~ will be exposed for sale, three full days notice shall be given of such sale, At the time appointed for the sale the Pound Master shall sell the Animal or animals at public outcry to the highest bidder, Of the proceeds of such sale the Pound Master shall be authorized to retain as his fee for each Horse, Mule, Jack-Jenny or head of neat Cattle fifty Cents for each Animal for each day he has had the same in his possession, Should any person appear and claim the Animal or Animals impounded, such person shall not be entitled to receive the same until he or she has paid to the Pound Master all fees due for the keeping ~~such~~ animals, Such fees to be at the rate of fifty Cents per day for each Horse, Mule, Jack or Jenny or head of neat Cattle, and Twenty Cents per day, for each head of sheep, Goats or Swine, The Pound Master shall pay the City Taxarom all

Money received for the sale of impounded Animals
Over and above the amount of his fees

Section 5 That any person who shall forcibly, or surreptitiously

=treatly take from the City found any animal the
impounded, or who shall take or attempt to take
any impounded animal from the Public Pound,
without the permission of the Pound Master,
shall be deemed guilty of a Misdemeanor,

Section 6 That should the Pound Master, abuse, neglect

or maltreat in any manner any animal placed
in the City Pound or shall be fail, or refuse to
pay into the City treasury the money due the City
on account of sales of impounded Animals within
Twenty four hours after the animals have been
sold, he shall be deemed guilty of a Misde-
meanor, and in addition to the punishment in-
flicted for the offence he shall be removed from
Office by the Mayor.

Section 7 That any person, who shall be tried and

Convicted for a misdemeanor under the provisions
of this Ordinance before the Mayors Court shall
be fined in any sum not to exceed One hundred
Dollars, or imprisonment in the City Prison for a
period not to exceed Thirty days, or shall be punished
by both fine and Imprisonment in the discretion
of The Court

Section 8 That this Ordinance take effect and be in

force five days after its Passage -
Approved August 25, 1878

B. J. Lowell
Mayor of El Paso City

An Ordinance to provide for the government
of Acquies in the City of El Paso

Section 1st Be it ordained by the City Council of the
City of El Paso, That the ^{water} Commissioners of said
city are hereby invested with full authority and
control over all the aqueducts within the City
limits and it is hereby made their duty to enforce
this Ordinance and all other ordinances of the
City that relate to aqueducts, and for that purpose they,
or either of them, shall have authority, and such
authority is confined upon them to arrest a cause to
be arrested and held for trial any person or persons
who may hereafter violate any ordinance in regard to
aqueducts and said Commissioners shall not be required
to make complaint in writing to arrest said person
or persons thus offending, but may make or cause
to be made summary arrests, provided that before
any such charge can be tried a written complaint
specifying the offense, and the ordinance violated
shall be filed in the Mayor's Court, And any
person who may be tried and convicted before the

Mayors Court for the violation of any provision of this ordinance, shall be punished by fine in any sum not to exceed one hundred dollars or by imprisonment in the City Prison for a term not to exceed thirty days, or by both such fine and imprisonment in the discretion of the Court and shall in addition thereto pay the cost of Prosecution.

^{Section 2} That all persons who use water from the aqueduct in this City for domestic purposes or irrigation shall be liable to perform aqueduct duty as is hereinafter provided; And any person who shall fail or refuse to perform such duty or who shall fail to furnish a substitute to perform the same, whenever called upon by Competent Authority shall be deemed guilty of a Misdemeanor —

^{Section 3} That it is hereby made the duty of the Water Commissioner to prepare a list of all persons in the City who are subject to aqueduct duty under the preceding section, A true Copy of which shall always be kept open in the Mayors Office for the inspection of any Citizen or person interested, and all persons on said list shall be charged in the rates hereinbefore provided, with the labour necessary to be performed by each person to keep the Aqueduct in good repair, and each person performing labour on the aqueduct shall be credited on said list with each day's labour performed.

Section 4 Every male person residing within the City limits, over the age of eighteen years who is not a householder or planter shall be required to perform in person or by substitute at least one day labor each year on the public Acquies, Each household who is not a planter shall be required to contribute one or more days labor on the Acquies whenever such work may be necessary. Each planter within the City limits shall be required to contribute labor for keeping the Acquies in repair in accordance with the amount of water used by said planter for irrigation purposes to be determined by the amount of land said planter has under irrigation. It is hereby made the duty of the Water Commission to apportion the labor necessary to be done on the Public Acquies pro rata among the three classes mentioned in this section in such manner that each person shall be compelled to furnish labor on the Acquies in proportion to the amount of water used by him or her, and it is strictly enjoined upon the said Water Commission, to make such apportionment of labor in a just and equitable manner.

Section 5 Any person who feels aggrieved at the apportionment of labor on the Public Acquies may remonstrate by petition in writing to the City Council

Section 6^o Whenever in the opinion of the Water Commissioners it shall be necessary to perform labor on the publick aqueducts for the purpose of clearing or repairing the same, the said Commissioners shall proceed to notify all persons who stand charged on their list of labor of the amount of labor they desire such persons to perform, stating in said notice the time and place where such labor is necessary and any person so charged with labor, who shall neglect or refuse to appear and perform said labor in person or by adult substitute when so notified, shall be guilty of a Misdemeanor.

Section 7^o That any adult person residing in the City of El Paso who shall take or use any water from the Publick aqueducts, after having been convicted of a refusal to contribute his or her quota of labor for clearing or repairing the aqueducts shall be deemed guilty of a Misdemeanor.

Section 8^o The Water Commissioner in person, or by Deputy shall have full control over the cleaning and suspending of all aqueducts, and shall direct the labour thereon; And any person who shall refuse to obey any lawful Order of the Water Commission shall be deemed guilty of a Misdemeanor, and any person who shall upon inspection before guilty of a Misdemeanor for violation of any

provisions of this ordinance, shall be punished as provided in the first section hereof -

Section 9 That this ordinance take effect and be in force five days from and after its passage -

Approved August 25th 1873

B. J. Dowell
Mayor of the City of El Paso

In Consequence of the resignation of Alderman Tager of first Ward and of James Brassie and the failure to qualify of Joseph Schmitz and also the resignation of Ishai Bellitt as Alderman for Third Ward an election was ordered to be held on the 15th of October A.D. 1873, whereupon publication was given that an election would be held in the City of El Paso to fill said vacancies - And upon the said date an election was duly held according to Law, and after Counting the votes received it was found by the examiners of Election that M. A. Jones was unanimously elected from Ward No 1 as Alderman that Hon Allen Blacker and ^{J. W.} Tager from the Second Ward and Frank C. Marsh from the Third Ward the examiners having found them duly elected according to Law and certified them of their election - On the 16th day of October 1873 the said M. A. Jones and Frank C. Marsh

took the prescribed oath of office and on the
 17th day of October A.D. 1878, Wm Allen Blacker
 and F. J. Hayes took their oath of office and
 duly qualified as Aldermen of the City Council
 of El Paso City in the County of El Paso in
 the State of Texas

B. J. Dowell

Mayor of the City of El Paso
 Mayor's Office City of El Paso
 October 23^d 1878

Writ of 23^d Octo, 1878 Council not present to call
 for Special Bumper present the Hon B. J. Dowell
 Mayor and Alderman Jones, Hancock, & Evans -
 When the Council being called to order - the following
 resolutions and Ordinances were passed
Resolution
1st
 Resolved by the Mayor and City Council that
 the Hon B. J. Dowell mayor of the City of El Paso
 be requested and hereby authorized to ascertain
 from the Sentinel Office of El Paso Texas the
 amount of the present Indebtedness of the City
 of El Paso to said sentinel printing office
 for all work done up to the date of this resolution
 that he also learn at what rates the said
 office will do all the required and necessary
 printing for the City of El Paso, as may
 be ordered by the Mayor and aldermen
 of said City, and report at the next regular meeting,